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11 LFG NATIONAL CAPITAL, LLC, LAWFINANCE GROUP, INC., and
LFG SERVICING, LLC

12
13 UNITED STATES DISTRICT COURT

14 CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION

16 LFG NATIONAL CAPITAL, LLC,

17 Plaintiff,

18 v.

19 GARY, WILLIAMS, FINNEY, LEWIS,
WATSON & SPERANDO, P.L., WILLIE
20 GARY, and LORENZO WILLIAMS,

21 Defendants.

23 GARY, WILLIAMS, FINNEY, LEWIS,
WATSON & SPERANDO, P.L.,

24 Counterclaimant,

25 v.

26 LFG NATIONAL CAPITAL, LLC,
LAWFINANCE GROUP, INC., and
27 LFG SERVICING, LLC

28 Counterdefendants.

Case No. CV11-04538 PSG (PJWx)

**COUNTERDEFENDANTS LFG
NATIONAL CAPITAL, LLC,
LAWFINANCE GROUP, INC., AND
LFG SERVICING, LLC'S NOTICE OF
MOTION AND MOTION TO DISMISS
COUNTERCLAIMS PURSUANT TO
FED. R. CIV. P. 12(b)(6)**

**[REQUEST FOR JUDICIAL NOTICE
IN SUPPORT THEREOF BEING
FILED CONCURRENTLY]**

Hearing Date: September 12, 2011
Time: 1:30 p.m.
Judge: Honorable Philip S. Gutierrez
Courtroom: 880

NOTICE OF MOTION AND MOTION TO DISMISS COUNTERCLAIMS PURSUANT TO FED. R. CIV. P 12(b)(6)

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on September 12, 2011, at 1:30 p.m. or as soon
3 thereafter as the matter can be heard by the above-entitled Court, in the Courtroom of
4 the Honorable Philip S. Gutierrez (Courtroom 880) of the United States District Court
5 for the Central District of California, located at 255 East Temple Street, Los Angeles,
6 California 90012, Plaintiff LFG National Capital, LLC and Counterdefendants
7 LawFinance Group, Inc. and LFG Servicing, LLC (collectively "LFG") will, and
8 hereby do, move the Court for an order dismissing the Counterclaims of
9 Defendant/Counterclaimant Gary, Williams, Finney, Lewis, Watson & Sperando, P.L.
10 ("Defendant/Counterclaimant").

11 This Motion is brought pursuant to Federal Rule of Civil Procedure 12(b)(6) on
12 the ground that Defendant/Counterclaimant has failed to state a claim upon which relief
13 can be granted.

14 This Motion is based on this Notice of Motion and Motion, the Memorandum of
15 Points and Authorities and Request for Judicial Notice filed herewith, the other papers
16 and records on file in this action, and such further oral and documentary evidence as
17 may come before the Court upon the hearing of this matter.

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1 The Motion is made following the conference of counsel pursuant to Local Rule
2 7-3. Counsel for Plaintiff and Counterdefendants contacted Harvey I. Saferstein on July
3 14, 2011. After not hearing back from Mr. Saferstein, counsel for Plaintiff and
4 Counterdefendants contacted Sarah J. Robertson, counsel for
5 Defendant/Counterclaimant, on July 18, 2011, and were able to discuss the substance of
6 the contemplated motion and any potential resolution.

7

8 July 20, 2011

CHADBOURNE & PARKE LLP

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By: _____ /s/ Jay R. Henneberry
11 Jay R. Henneberry
12 Scott S. Balber
13 Jonathan Cross

14 *Attorneys for Plaintiff and Counterdefendant*
15 LFG NATIONAL CAPITAL, LLC
16 LAWFINANCE GROUP, INC., and
17 LFG SERVICING, LLC

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